

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently amended) A computerized method of watermarking a software object comprising the steps of:

(a) determining a watermark;

~~(a) receiving~~ (b) determining an input sequence; and

~~(b)~~ (c) storing the a watermark in the state of the software object so that the watermark becomes detectable by a computerized recognizer which examines the state of the software object when the software is being run with the input sequence.

2. (Previously presented) The method as claimed in claim 1, wherein the software object is a program or a piece of a program.

3. (Previously presented) The method as claimed in claim 1 wherein the watermark is detectable in the state of the software object formed by the current values held in at least one of:

(a) at least one stack;

(b) at least one heap;

(c) at least one data register; and

(d) at least one global variable;

of the software object.

4. (Previously presented) The method of claim 1 or 2 or 3 wherein the watermark is stored in an execution state of the software object whereby the input sequence is constructed which, when fed to an application of which the software object is a part, will make the software object enter a second state which is a representation of the watermark, the representation being validated or checked by examining the execution state of the software object.

5. (Previously presented) The method of claim 1 wherein the watermark is embedded in an execution trace of the software object whereby, as a special input is fed to the software object, an address/operator trace is monitored and, based on a property of the trace, the watermark is extracted.

6. (Previously presented) The method of claim 1 or 2 or 3 wherein the watermark is embedded in a topology of a dynamically built graph structure.

7. (Previously presented) The method of claim 6 wherein the dynamically built graph structure is detectable in a data structure of the program.

8. (Currently amended) The method of claim 1, or 2 or 3 further comprising the step of:

(c) building a computerized recognizer operable to examine the state of the software object when run with an input sequence and indicate whether the watermark is detectable in the state of the software object.

9. (Currently amended) The method of claim 8 wherein the computerized recognizer is a function adapted to identify and extract the watermark from all other dynamic structures on a heap or stack.

10. (Currently amended) The method of claim 8 wherein the watermark incorporates a marker that will allow the computerized recognizer to recognize it easily.

11. (Currently amended) The method of claim 8 wherein the computerized recognizer is retained separately from the program and whereby the computerized recognizer inspects the state of the program.

12. (Currently amended) The method of claim 8 wherein the computerized recognizer is dynamically linked with the program when it is checked for the existence of a watermark.

13. (Previously presented) The method of claim 1, or 2, or 3 wherein the software object is a part of an application that incorporates tamper-proofing code.

14. (Currently amended) The method of claim 8 wherein the computerized recognizer checks the watermark for a signature property.

15. (Previously presented) The method of claim 14 wherein the signature property is evaluated by testing for a specific result from a hard computational problem.

16. (Previously presented) A method of claim 14, wherein the watermark is embedded in a topology of a dynamically built graph structure, the method including the step of:

(d) creating a number having at least one numeric property which is an index of the embedded dynamically built graph structure, whereby the signature property is evaluated by testing the at least one numeric property.

17. (Previously presented) The method of claim 16 wherein the signature property is evaluated by testing whether the number is a product of two primes.

18. (Currently amended) The method of varying the integrity or origin of a program including the steps of:

(a) watermarking the program with a watermark, wherein the watermark is stored in the state of a program so that the watermark becomes detectable when the program is being run with an input sequence;

(b) building a computerized recognizer, wherein the computerized recognizer is adapted to extract the watermark from dynamically allocated data wherein the computerized recognizer is kept separately from the program; wherein the computerized recognizer is adapted to check for a number.

19. (Previously presented) The method of claim 18, wherein the number is the product of two primes and wherein the number is the index of an embedded watermark graph in an enumeration of a class of watermark graphs each having a different topology.

20. (Previously presented) The method of claim 18 wherein the number is derived from a combination of three or more prime numbers.

21. (Previously presented) The method of claim 18 or 19 wherein the program is further adapted to be resistant to tampering, the resistance to tampering, or by adding tamper-proof code.

22. (Currently amended) The method of claim 18 or 19 wherein the computerized recognizer checks for the effect of the watermark on an execution state of the program, thereby preserving an ability to recognize the watermark where semantics-preserving transformations have been applied to the program.

23. (Currently Amended) A method of watermarking software including the steps of:

- (a) embedding a watermark in a string; and
- (b) including in the software code that is stored in memory, the code when executed with at least one ~~predetermined input~~ input determined during the watermarking process reproduces the string of step (a), and that produces at least one other string when executed with at least one other input;

wherein the code is included in the software using a process that inhibits recognition of the string of step (a) by static or dynamic analysis.

24. (Currently amended) A computerized method of watermarking software comprising the steps of:

(a) choosing a watermark from a class of graphs having a plurality of members that are stored in memory, each member of the class of graphs having at least one property, the at least one property being capable of being tested by integrity-testing software; and

(b) storing the chosen watermark in the software so that when the software is run with a ~~predetermined input~~ input determined during the watermarking process sequence, the chosen watermark is reproduced and detectable by a computerized recognizer which examines the state of the software object.

25. (Previously presented) The method of claim 24 wherein the watermark is rendered tamperproof to certain transformations by subjecting the watermark graph to redundant edge insertion.

26. (Previously presented) The method of claim 24 wherein the watermark is a watermark graph including at least one node and wherein each of the at least one node of the watermark graph is expanded into a cycle.

27. (Currently amended) A computerized method of fingerprinting software comprising the steps of:

(a) providing a plurality of watermarked programs, having a watermark stored in a state of a software object for the program, the watermark being detectable by a computerized recognizer which examines the state of the software object as the software object is being run with a particular input sequence.

28. (Previously presented) The method of fingerprinting software as claimed in claim 27 wherein the plurality of watermarked programs each of which has a number with a common prime factor.

29. (Cancelled)

30. (Currently amended) A computer readable medium including a program for watermarking a software object, the program including instructions for causing a computer to:

- (a) receive an input sequence through a data communication channel; and
- (b) storing a watermark in the state of the software object so that the

watermark becomes detectable by a computerized recognizer which examines the state of the software object when the software object is being run with the input sequence.

31. (Currently amended) A computer comprising:

a software object;

means to receive an input sequence; and

a watermark stored in the state of the software object so that the watermark becomes detectable by a computerized recognizer which examines the state of the software object when the software object is being run with a particular input sequence.

32. (Currently amended) A method of fingerprinting software comprising the steps of:

(a) providing a plurality of watermarked programs, the plurality of watermarked programs being obtained by watermarking each program of the plurality of programs with a watermark, wherein the watermark is stored in the state of a program so that the watermark becomes detectable when the program is being run with an input sequence and building a computerized recognizer wherein the computerized recognizer is adapted to extract the watermark from other dynamically allocated data wherein the computerized recognizer is kept separately from the program; wherein the computerized recognizer is adapted to check for a number.

33. (Currently amended) A computerized method of fingerprinting software comprising the steps of:

(a) providing a plurality of watermarked programs, the plurality of watermarked programs being obtained by watermarking each program of the plurality of programs with a watermark, the watermark being obtained by embedding a watermark in a string and including in the software code that, when executed with at least one input determined during the watermarking process ~~predetermined input~~ reproduces the string so as to be detectable by a computerized recognizer, and that produces at least one other string when executed with at least one other input.

34. (Currently amended) A method of fingerprinting software comprising the steps of:

(a) providing a plurality of watermarked programs, the plurality of watermarked programs being obtained by choosing a graph-theoretic property, using the graph-theoretic property to define the class of graphs satisfying the property, choosing a plurality of graphs from the class to be used as watermarks, and embedding each chosen watermark into a software program; watermarking each program of the plurality of programs with a watermark, the watermark being obtained by choosing a watermark from a class of graphs having a plurality of members, each member of the class of graphs has at least one property, the at least one property being capable of being tested by integrity testing software and applying the watermark to the software.

(b) providing a computerized recognizer capable of recognizing each of the embedded watermarks by examining the state of the software object when it is being executed;
and

(c) providing an integrity tester which tests for the satisfaction of the chosen graph-theoretic property in a possibly-modified version of any of the plurality of watermarked programs.

35. (Currently amended) A computer-readable medium including a program for verifying at least one of the integrity and origin of a program, the program including instructions for:

(a) watermarking the program with a watermark, wherein the watermark is stored in the state of a program so that the watermark becomes detectable when the program is being run with an input sequence;

(b) building a computerized recognizer wherein the computerized recognizer is adapted to extract the watermark from other dynamically allocated data wherein the computerized recognizer is kept separately from the program; wherein the computerized recognizer is adapted to check for a number.

36. (Currently amended) A computer-readable medium including a program for watermarking software, the program including instructions for:

- (a) embedding a watermark in a static string; and
- (b) including in the software code that, when executed with at least one input determined during the watermarking process ~~predetermined input~~ reproduces the string of step (a), and that produces at least one other string when executed with at least one other input.

37. (Currently amended) A computer-readable medium including a program for watermarking software, the program including instructions for:

- (a) choosing a graph-theoretic property, using the graph-theoretic property to define the class of graphs satisfying the property, choosing a graph from the class to be used as a watermark, and embedding the chosen watermark into a software program; ~~watermark from a class of graphs having a plurality of members, each member of the class of graphs has at least one property, the at least one property being capable of being tested by integrity testing software;~~ and
- (b) providing a computerized recognizer capable of recognizing the embedded watermark by examining the state of the software object when it is being executed; and applying the watermark to the software.

(c) providing an integrity tester which tests for the satisfaction of the chosen graph-theoretic property in a possibly-modified version of the watermarked program.

38. (Currently amended) A computer capable of verifying at least one of the integrity and origin of a program, the computer comprising:

an input sequence;

a watermark for watermarking the program, wherein the watermark is stored in the state of a program so that the watermark becomes detectable when the program is being run with the input sequence; a computerized recognizer, wherein the computerized recognizer is adapted to extract the watermark from other dynamically allocated data wherein the computerized recognizer is kept separately from the program, wherein the computerized recognizer is adapted to check for a number.

39. (Currently amended) A computer for watermarking software comprising:

(a) a memory for storing data representing a string that has a watermark embedded in it; and

(b) a technique for including in software code that, when executed with at least one ~~predetermined~~ input determined during the watermarking process reproduces the string so as to be detectable by a computerized recognizer, and that produces at least one other string when executed with at least one other input.

40. (Currently amended) A computer comprising:

(a) a watermarked program obtained by choosing a graph-theoretic property, using the graph-theoretic property to define the class of graphs satisfying the property, choosing a graph from the class to be used as a watermark, and embedding the chosen watermark into a software program; a watermark from a class of graphs having a plurality of members, each member of the class of graphs has at least one property, the at least one property being capable of being tested by integrity testing software; and

(b) a computerized recognizer capable of recognizing the embedded watermark by examining the state of the software object when it is being executed; and software to which the watermark is applied;

(c) an integrity tester which tests for the satisfaction of the chosen graph-theoretic property in a possibly-modified version of the watermarked program.

41. (Original) The method of claim 1, wherein the watermark is detectable in any portion of the dynamic data state of the software object.

42. (Original) The method of claim 1, wherein the software object is an executable media object.

43. (Original) The method of claim 1, wherein no part of the state of the software object in which the watermark becomes detectable is visually or audibly apparent.

44. (Currently amended) The method of claim 8, wherein the computerized recognizer is built concurrently with the watermark and input sequence.

45. (Original) The method of claim 16, wherein said graph is an enumeration of a class of possibly-embedded watermark graphs each having a different topology.

46. (Currently amended) The method of claim 18, wherein the computerized recognizer is built concurrently with the watermark and input sequence.

47. (Original) The method of claim 23, wherein the software code includes a state variable updated during execution of the code and that influences the string outputted.

48. (Original) The method of claim 31, wherein no part of the state of the software object in which the watermark becomes detectable is visually or audibly apparent.

49. (Currently amended) A method of watermarking software including the steps of:

- (a) embedding a watermark in a string, thereby forming a watermark string;
- (b) converting the string into executable code that, when executed, constructs a dynamic string by:

- (i) receiving an input in the form of at least one input variable;
- (ii) defining and updating a string index variable that controls the location of writing to the dynamic string;

- (iii) defining a state variable and dynamically determining a state variable ~~updating the state variable in a dynamically determined fashion~~ so that the value of said

state variable in at least one read operation will vary depending on which of at least two execution paths was taken by said executable code to reach said operation; and

(iv) dependent on said at least one input variable, string index variable and state variable, writing to the dynamic string;

wherein the dynamic string reconstructs the watermark string for at least one input determined during the watermarking process and not for the other inputs.

50. (Previously presented) A method of watermarking a software object comprising the steps of:

(a) providing an input sequence; and
(b) storing a watermark in the state of the software object as the software object is being run with the input sequence, wherein the watermark is stored in an execution state of the software object whereby the input sequence is constructed which, when fed to an application of which the software object is a part, will make the software object enter a second state which is a representation of the watermark, the representation being validated or checked by examining the execution, of the software object.

51. (Currently amended) A method of watermarking a software object comprising the steps of:

(a) providing an input sequence; and
(b) storing a watermark in the state of the software object as the software object is being run with the input sequence, wherein the watermark is embedded in an execution trace of the software object whereby, as a ~~special~~ input determined during the watermarking process is

fed to the software object, an address/operator trace is monitored and, based on a property of the trace, the watermark is extracted.

52. (Currently amended) The method of varying the integrity or origin of a program including the steps of:

(a) watermarking the program with a watermark, wherein the watermark is stored in the state of a program as the program is being run with an input sequence;

(b) building a computerized recognizer, wherein the computerized recognizer is adapted to extract the watermark from dynamically allocated data wherein the computerized recognizer is kept separately from the program; wherein the computerized recognizer is adapted to check for a number, wherein the computerized recognizer checks for the effect of the watermark on an execution state of the program, thereby preserving an ability to recognize the watermark where semantics-preserving transformations have been applied to the program.

53. (Currently amended) A method of watermarking software including the steps of:

(a) embedding a watermark in a string; and

(b) including in the software code that, when executed with at least one ~~predetermined~~ input determined during the watermarking process reproduces the string of step (a), and that produces at least one other string when executed with at least one other input;

wherein the part of the code that manipulates dynamically allocated structures is constricted so that it is computationally difficult to statically determine whether it is

safe to perform a transformation of the code incorporating the at least one opaque predicate or variable.

54. (Currently amended) A method of watermarking software including the steps of:

(a) embedding a watermark in a string; and

(b) including in the software code that, when executed with at least one ~~predetermined~~ input determined during the watermarking process reproduces the string of step

(a), and that produces at least one other string when executed with at least one other input;

wherein at least a portion of the code incorporates at least one opaque predicate and the code is constructed so that it is computationally difficult to statically determine whether it is safe to perform a transformation of the code incorporating the at least one opaque predicate.